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**Sent:** 11/02/2021 7:57:25 PM  
**Subject:** DA2021/0008 -Submission  
**Attachments:** 210211\_DA 2021-0008 \_Submission\_AW.pdf;

Hi Rebecca,

Please find attached my submission in relation to DA 2021/0008. Thank you for allowing me an additional week to prepare and submit it.

Kind Regards,  
Anne Warren

2 Ponsonby Pde  
Seaforth NSW 2092  
11 February 2021

**Assessing Officer**  
**DA 2021/0008**  
**12 & 14 Ponsonby Parade, SEAFORTH**  
**Seniors Housing Development**

Dear Sir/Madam,

This letter is a written submission of objection to and request for rejection of DA 2021/0008 in relation to S4.15 of the EPA Act 1979.

The DA seeks approval for a seniors housing development for 9 self-care apartments with basement parking for 19 vehicles under the State Environmental Planning Policy for Seniors or People with Disability (SEPPHSPD).

**Following review of this DA, the key reasons for rejection are submitted as follows:**

- **FSR - Failure to submit a Clause 4.6 Variation to Manly LEP in respect to FSR**
  - The DA proposes a Floor Space Ratio (FSR) of 0.6:1, Council's planning controls are 0.45:1. This significant increase in the permissible FSR indicates the proposal is out of character with the prevailing R2 character of low density, 1 and 2 story single residences.
  - No Clause 4.6 Variation to the Manly LEP in respect of FSR has been sighted.
- **FSR - Failure to Comply with SEPPHSPD**
  - The SEPPHSPD permits an FSR 0.5:1, the DA with an FSR of 0.6:1 is clearly non-compliant.
  - The SEPPHSPD Design Guidelines Section 4 – Impacts on Neighbours, requires the rear 25% of the site to be single storey to limit bulk and scale impacts to adjacent properties and the character of the area, no area of the development is single storey.
- **Excessive Bulk and Scale**
  - Drawings indicate two large buildings extending across the two residential lots in an east west direction with only token articulation to break down the building bulk and scale, this applies to both street frontages. The resultant buildings rather than fitting in with the character the Residential R2 zone they are within, present with excessive bulk and scale as one large building rather than two residential buildings as would be appropriate for the character of the area and required by SEPPHSPD Design Guidelines, Section 4 - Impacts on Neighbours.
  - Separation between buildings on the site is inadequate and is less than 9.0m. This exacerbates the issue of the inappropriate bulk and scale of the development when viewed from neighbouring properties.
- **Neighbourhood Amenity**

The SEPPHSPD states that the proposed development should recognise desirable elements of the location's current character. The development proposed contains 9 apartments spanning, with minimal modulation, across two residential blocks with an FSR of 0.6:1 in an area of low density single residences of 1 or 2 storeys with a maximum FSR of .45:1. The development is of a bulk, scale and form that fails to recognise the existing character of the area but rather seeks to impose a change of character, scale and density upon the community with resultant negative and unacceptable impacts particularly on adjacent residents.

- **Solar Access**

- Inadequate separation between the buildings on the development site of less than 9m creates compromised solar access to the private open spaces within the development. Required solar access must be provided both to future residents and the neighbouring properties. SEPPHSPD Design Guidelines – Section 5 – Site Amenity.

- **Privacy**

- There are numerous large balconies/terraces with setbacks that are inadequate to provide protection to neighbours. There is no analysis regarding the maintenance of privacy between the development and neighbours and this is essential to ensure the development appropriately addresses these issues as required by Clause 34 of SEPPHSPD. Landscaping should not be relied upon to address privacy issues.

- Separation between buildings on the site is inadequate. The DA submission indicates building separation is less than 9m between the two blocks and this will result in privacy issues between the units within the development.

- **Landscaping**

- Landscaping should be appropriate in its selection so as not to negatively impact neighbouring residences by causing future loss of views or solar access. Landscaping details need to confirm mature heights of trees and solar access and views must be updated to include this detail.

- **Excessive Height**

- Clause 40(4)(a) of the SEPPHSPD requires that development not in residential flat building areas have a maximum height of 8.0m. The current documentation fails to clearly show the levels of existing ground along the lengths of elevations, particularly the eastern elevation, where some elements appear above the height limits. All levels should be clearly marked on the drawings and a signed SURVEY from a registered surveyor provided to confirm the levels indicated and to ensure compliance with height requirements to minimise impacts on adjacent residents.

- **Setbacks**

- SEPPHSPD Clause 33 (d) requires that the proposed building be set back in sympathy with the existing building line. The proposed development projects in front of the building line of adjacent properties, is generally not in sympathy with the setbacks along Ponsonby Pde and as a result is not compliant.

- SEPPHSPD Design Guidelines – 2 – Site Planning, confirms that carpark entrances should not be visually dominant. The DA elevations show the carpark entry within a masonry wall to be a dominant feature in the Ponsonby Pde streetscape, clearly not aligning with the intent of the SEPPHSPD.

- **Access**

- SEPPHSPD clause 26 (2) – requires access to facilities by a suitable pathway or via public transport both to and from the development. The current application indicates access via Ponsonby Pde from the northern apartments via a partially non separated pathway within the garage area, from Ponsonby Parade the access is indicated to be by footpath with no aligned gutter crossings on heavily used roads to the local shopping area. This fails to meet the requirements of SEPPHSPD.

- The Traffic report references numerous bus routes providing transport from bus stops in Ponsonby Pde and Ross St. The bus services noted have ceased except for the 144. This bus service picks up from Ponsonby Pde for access to the local shops but does not provide a direct return service as required by the SEPPHSPD.

In summary, the proposed development does not comply with requirements related to floor space ratio, bulk and scale (including building form), neighbourhood amenity, solar access, privacy, setbacks and access. Height and landscaping are yet to be adequately addressed. Therefore, the proposed development would negatively impact adjoining and local residents and more broadly detract from

the character and identity of the area. On this basis Northern Beaches Council is requested to reject this Development Application.

Yours faithfully,

*Anne Warren*

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